

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

STATE OF CALIFORNIA;
COMMONWEALTH OF
MASSACHUSETTS; STATE OF NEW
JERSEY; STATE OF COLORADO; STATE
OF ILLINOIS; STATE OF MARYLAND;
STATE OF NEW YORK; and STATE OF
WISCONSIN,

Plaintiffs,

v.

U.S. DEPARTMENT OF EDUCATION;
DENISE CARTER, in her official capacity as
former Acting Secretary of Education and
current acting Chief Operating Officer, Federal
Student Aid; LINDA MCMAHON, in her
official capacity as Secretary of Education,

Defendants.

Case No. 1:25-cv-10548

**JOINT SUBMISSION REGARDING PRELIMINARY
INJUNCTION BRIEFING SCHEDULE**

Pursuant to the Court’s Order of March 10, 2025 (Doc. No. 41 at 10), Plaintiff States of California, Massachusetts, New Jersey, Colorado, Illinois, Maryland, New York, and Wisconsin (“Plaintiff States”) and Defendants U.S. Department of Education, Denise Carter, and Linda McMahon (“Defendants”) (collectively, “the Parties”) conferred regarding a joint briefing schedule but were unable to reach agreement. By and through their counsel, the Parties hereby set forth their respective positions regarding a briefing schedule for Plaintiffs’ request for Preliminary Injunction:

Plaintiffs' Position:

The Plaintiff States conferred with counsel for Defendants and noted their willingness to agree to a longer briefing schedule, provided Defendants consented to extend the TRO until the Court entered a decision on the preliminary injunction motion, even if that decision were to come after the 28-day period provided for in Fed. R. Civ. P. 65. However, Defendants refused to do so, leaving the Plaintiff States with no choice but to propose the following briefing schedule, in order to allow the Court time to decide the preliminary injunction within the 28-days provided for by Fed. R. Civ. P. 65, to ensure continuity of the TRO and prevent further harm to the Plaintiff States:

1. Plaintiff States' Motion for Temporary Restraining Order (Doc. No. 2) and Memorandum in Support (Doc. No. 7) shall be treated as a Motion for Preliminary Injunction;
2. Defendants shall have until Monday March 17, 2025, to file a Memorandum in Opposition to Plaintiff States' Motion for Preliminary Injunction;
3. Plaintiff States shall have until Friday March 21, 2025, to file a Reply in support of their Motion for Preliminary Injunction;
4. Plaintiff States ask that the Court renew the TRO for an additional 14 days on March 24, 2025;
5. Plaintiffs respectfully request that the Court set an expeditious hearing on the requested Preliminary Injunction during the week of March 24-28, 2025 and that the Court issue a decision on or before the maximum period for the TRO, which concludes on April 7, 2025.
6. Good cause warrants a short extension of the Temporary Restraining Order, entered on March 10, 2025 (Doc. No. 41), beyond the fourteen day (14-day) period set forth in the Order until the Court rules on the preliminary injunction, based on the complexity of the issues, the number of parties, and to ensure that the status quo is maintained while this

matter is expeditiously litigated. *Almeida-Leon v. WM Cap. Mgmt., Inc.*, No. 20-2089, 2024 WL 2904077, at *5 (1st Cir. June 10, 2024); Fed. R. Civ. P. 65(b)(2) (permitting extension of 14-day period for good cause or by consent of adverse party).

Defendants' Position:

Defendants respectfully propose the following briefing schedule on Plaintiffs' request for a preliminary injunction.

1. Plaintiff States' Motion for Temporary Restraining Order (Doc. No. 2) and Memorandum in Support (Doc. No. 7) shall be treated as a Motion for Preliminary Injunction;
2. Defendants shall have until March 21, 2025, to file a Memorandum in Opposition to Plaintiff States' Motion for Preliminary Injunction;
3. Plaintiff States shall have until March 28, 2025, to file a Reply in support of their Motion for Preliminary Injunction.

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†motion for admission *pro hac vice* forthcoming

On Behalf of Defendants,

**U.S. DEPARTMENT OF EDUCATION,
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CERTIFICATE OF SERVICE

I, Adelaide Pagano, hereby certify, that on March 11, 2025, a copy of the foregoing Joint Submission regarding Preliminary Injunction Briefing Schedule was served on counsel for Defendants via CM/ECF.

s/ Adelaide Pagano

Adelaide Pagano